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#### IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re:	)	Chapter 11
My Ranch, Inc.	(	Case No. 09-35697
Debtor and Debtor in Possession.	)	Judge Jack Schmetterer
	)	Hearing: December 17, 2009, 10:00 A.M.

#### **NOTICE OF MOTION**

To: See attached service list

PLEASE TAKE NOTICE that on December 17, 2009 at 10:00 A.M., the undersigned will appear before the Honorable Jack B. Schmetterer, Bankruptcy Judge, in Courtroom 682, Dirksen Federal Building, 219 S. Dearborn, Chicago, Illinois the Bankruptcy Court for the Northern District of Illinois, Eastern Division, or any other judge sitting in his stead, and shall then and there present MOTION TO REJECT LEASE UNDER § 365(a), a copy of which is enclosed herewith and served upon you.

#### /s/ Forrest L. Ingram

Forrest L. Ingram, #3129032 Forrest L. Ingram, P.C. 79 W. Monroe St., Suite 900 Chicago, IL 60603 (312) 759-2838

## **CERTIFICATE OF SERVICE**

I, Bradley Opfermann, an attorney, on my oath and subject to penalties of perjury, certify that I served a true and correct copy of the foregoing Notice and the document to which it refers, on all parties entitled to service at the address listed below, by electronic notice or by U.S. Mail and email, as set forth on the attached service list, on December 8, 2009.

/s/Bradley Opfermann

#### SERVICE LIST

## Via ECF:

William T Neary
Office of the U.S. Trustee, Region 11
219 S Dearborn St
Room 873
Chicago, IL 60604
USTPRegion11.ES.ECF@usdoj.gov

## Via US Mail & Fax:

My Ranch, Inc. 4650 N. Sheridan Rd. Chicago, IL 60640 Fax: (773) 516-4861 My.ranch@hotmail.com

## Via US Mail:

Great America Leasing Corporation c/o Debbie Burns P.O. Box 609 Cedar Rapids, IA 52406 Case 09-35697 Doc 66 Filed 12/08/09 Entered 12/08/09 14:41:28 Desc Main Document Page 3 of 4

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In re:	)	Chapter 11
My Ranch, Inc.  Debtor and Debtor in Possession.	)	Case No. 09-35697
	)	Judge Jack Schmetterer
	)	Hearing: December 17, 2009, 10:00 A.M.

# MOTION TO REJECT LEASE UNDER § 365(a)

NOW COMES the Debtor and Debtor in Possession My Ranch, Inc. (the "Debtor"), by and through its attorneys at Forrest L. Ingram, P.C., and respectfully requests, pursuant to 11 U.S.C. §365(a), that this honorable Court enter an order allowing the Debtor to reject a certain personal property Lease with Great America Leasing. In support of its motion, the Debtor states:

- 1. The Debtor filed a voluntary petition under Chapter 11 of Title 11 of the United States Code ("Bankruptcy Code") on September 25, 2009.
- 2. On July 30, 2008 Debtor entered into Lease No. 003-04780989-000 with Great America Leasing (the "Lease"). The Lease cover several pieces of equipment used by the Debtor in the operation of its business including, but not limited to, a checkout, a meat tenderizer, a meat saw, label scales, a heat seal machine, a food processor, a walk-in freezer, and a stainless steel worktable and shelves. See invoice attached as **Exhibit A**.
- 3. Debtor is unable to maintain the payment schedule established by the Lease, and therefore, in order to survive, needs to reject the Lease.

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4. Debtor has initiated discussions with Great America Leasing to terminate the Lease and instead to purchase such equipment as is essential to the Debtor's reorganization of its business.

5. Negotiations with Great America Leasing are ongoing; the Debtor needs to terminate the Lease and seek to purchase, with financing over time, the equipment it needs to develop its business and to generate a profit.

6. On November 16, 2009, Debtor mailed Great America Leasing a letter indicating its intent to terminate the Lease and to negotiate the purchase of some or all of the leased equipment.

WHEREFORE, the Debtor and Debtor in Possession prays that this Honorable Court enter an order granting Debtor leave, pursuant to 11 U.S.C. § 365(a), to reject the Lease with Great America Leasing for various items of personal property including, but not limited to, a checkout, a meat tenderizer, a meat saw, label scales, a heat seal machine, a food processor, a walk-in freezer, and a stainless steel worktable and shelves. Debtor asks for such other and further relief as may be just.

Respectfully submitted, My Ranch, Inc.

By: <u>/s/ Forrest L. Ingram</u>
One of its attorneys

Forrest L. Ingram, P.C. Forrest L. Ingram, #3129032 79 West Monroe Street, Suite 900 Chicago, IL 60603-4907 (312) 759-2858 (312) 759-2838 fax fingram@fingramlaw.com